

SCHEDULE 2

SCOTTISH PARLIAMENTARY ELECTION RULES

PART III

CONTESTED ELECTIONS

The Poll

Questions to be put to voters

44.—(1) At the time of the application for a ballot paper (but not afterwards), the questions specified in the second column of the following table—

- (a) may be put by the presiding officer to a person who is mentioned in the first column. and
- (b) in the case of the questions at entries 1 to 4, shall be put if the candidate or the election or polling agent of a candidate or of a registered party standing nominated requires the question to be put:

<i>Person applying for ballot paper</i>	<i>Questions</i>
1. A person applying as an elector.	<ul style="list-style-type: none">(a) (a) “Are you the person registered in the register of local government electors for this election as follows?” (<i>read out the whole entry from the register</i>)?(b) “Have you already voted, here or elsewhere, at this election, otherwise than as proxy for some other person?”
2. A person applying as proxy.	<ul style="list-style-type: none">(a) (a) “Are you the person whose name appears as A.B. in the list of proxies for this election as entitled to vote as proxy on behalf of C.D.?”(b) “Have you already voted here or elsewhere at this election, as proxy on behalf of C.D.?”(c) “Are you the spouse, civil partner, parent, grandparent, brother/sister, child or grandchild of C.D.?”
3. A person applying as proxy for an elector with an anonymous entry (instead of the questions at entry 2 above).	<ul style="list-style-type: none">(a) (a) “Are you the person entitled to vote as proxy on behalf of the elector whose number on the register of electors is (<i>read out the number from the register</i>)?”(b) “Have you already voted here or elsewhere as proxy on behalf of the elector whose number on the register

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<i>Person applying for ballot paper</i>	<i>Questions</i>
	of electors is (<i>read out the number from the register</i>)?”
	(c) “Are you the spouse, civil partner, parent, grandparent, brother/sister, child or grandchild of the person whose number on the register of electors is (<i>read out the number from the register</i>)?”
4. A person applying as proxy if the question at entry 2(c) or 3(c) is not answered in the affirmative.	“Have you at this election already voted in this constituency on behalf of two persons of whom you are not the spouse, civil partner, parent, grandparent, brother/sister, child or grandchild?”
5. A person applying as an elector in relation to whom there is an entry in the postal voters list.	(a) (a) “Did you apply to vote by post?” (b) “Why have you not voted by post?”
6. A person applying as proxy who is named in the proxy postal voters list.	(a) (a) “Did you apply to vote by post as proxy?” (b) “Why have you not voted by post as proxy?”

(2) In the case of an elector in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act⁽¹⁾, the references in the questions at entries 1(a) and 3(a), (b) and (c) to reading from the register must be taken as references to reading from the notice issued under section 13B(3B) or (3D).

(3) A ballot paper shall not be delivered to any person required to answer any of the above questions unless the person has answered each question satisfactorily.

(4) Except as authorised by this rule, no inquiry shall be permitted as to the right of any person to vote.

⁽¹⁾ Section 13B was inserted by the 2006 Act, section 11.